



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/777,008
 Applicant : MARTIN, Emil, *et al.*
 Filed : February 11, 2004
 For : Treatment or Prevention of cGMP-dependent Pathophysiology
 with a Mutant Variant of Soluble Guanylyl Cyclase
 TC/A.U. : 1651
 Examiner : GITOMER, Ralph J.

Confirmation No. 3412

Customer No.: 23505
 Atty. Dkt. No.: 2105-00101
 Date: May 2, 2005

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 PO Box 1450
 Alexandria, Virginia 22313-1450

Sir:

This Information Disclosure Statement, including completed Form PTO-1449, comprises a list of pertinent art of which Applicants are aware.

The submission of this Information Disclosure Statement and the references submitted therewith is not an admission that the art cited is "prior" with respect to the present invention, nor is it a representation, that no better art exists. Applicants hereby reserve the right to swear behind or otherwise disprove any alleged "prior" nature of any art cited should the facts support and the situation warrant such an action. It is submitted that the art cited does not constitute a bar to the patentability of Applicants' invention under 35 U.S.C. § 102 or § 103.

No Office Action on the merits has been received in the present application. In the event that an Office Action dated prior to the mailing date of this Information Disclosure Statement has been issued, please charge Deposit Account 03-2769, Conley Rose, P.C., in the amount of \$180, so that this Information Disclosure Statement may be considered under Rule 1.97(c).

05/04/2005 FNETEX11 00000036 032769 10777008
 01 FC:1806 180.00 DA

Adjustment Date: 06/20/2005 SDIRETA1
 05/04/2005 FNETEX11 00000036 032769 10777008
 01 FC:1806 180.00 CR

Respectfully submitted,

Carol G. Mintz
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